

Approved 10/5/10

**Town of Fenwick Island
Minutes of the Charter & Ordinance Committee Meeting
September 7, 2010**

Call to Order at 9:30 a.m.

Present: Committee Members Bill Weistling, Gene Langan, Diane Tingle, Mike Quinn, Buzz Henifin, Win Abbott and Pat Schuchman.

Absent: Vicki Carmean, Winnie Lewis

Minutes:

- Diane Tingle made a motion to approve the minutes of August 3, 2010 seconded by Gene Langan.

Codebook Updates:

- Bill Weistling began by saying that the committee has received copies of proposed amendments to Chapter 100 (Licensing) and Chapter 135 (Signs) as reviewed by our Town attorney.
- Bill asked that the committee review Chapter 135 (Signs) and be prepared to discuss at the October meeting. We should be able to forward this amendment as a first reading for council approval at the October Town Council meeting.
- He also asked that the committee begin reviewing Chapter 100 (Licensing). In particular, we will discuss definitions of residential rental units and special events at the October meeting. Further discussion of the entire chapter will be planned for after we discuss Chapter 160 (Zoning) as they are both closely related.
- Chapter 140 (Streets & Sidewalks) - the Town has completed the re-naming of streets required by Sussex County 911 Re-Addressing. This chapter will be revised to include all new streets names and will be forwarded to council as a first reading for approval at the October Town Council meeting.
- Chapter 160 (Zoning) - Bill suggested that the committee begin working section by section and work thru the entire chapter.
- §160-1 – leave as is.
- §160-2 (Definitions & Word Use) – several items need to be changed.
 - Accessory Building – after some discussion it was decided to discuss at a later time. The committee also will consider if there is a need to include whether “pods” should be included as a temporary use.
 - Alley – after some discussion both in favor of removing and in favor of keeping, it was decided to leave it as is.
 - Apartment – Mike Quinn referred to the definition of apartment that was discussed and felt the 2008 definition should be used.
 - Apartment Building - the committee also agreed the 2008 definition should be used.

- Building- leave as is.
- Building limit line – this should be amended to include “front, rear and side wall of a building”.
- Commission – remove.
- Court – leave as is.
- Curb level – remove.
- Depth of lot – leave as is.
- District and Zone – leave as is.
- Dwelling, single-family – leave as is (further discussion may follow)
- Family – the definition of family is antiquated and may not be a legal requirement. We will research other Town’s for their definition and check with Town attorney.
- Floor Area – although the 70% FAR is fine, Pat Schuchman pointed out that for the most part, the only properties affected by this are lots that are 5,000 square feet. The limitation ends up with the property owner having to reduce some square footage on a deck to adhere to the 70%. Perhaps 71% for lots of 5,000 square feet or less was discussed.
- Garage, Private – remove “steam” from definition.
- Garage, Public – remove “steam” from definition.
- Ground level – leave as is.

Comprehensive Plan:

- Winnie Lewis was absent. Bill commented that each C&O meeting continues to address the goals of the Planning Commission. During earlier discussion on Zoning, the issue of parks was addressed and whether a park district should be established. Win Abbott suggested this be forwarded to the Planning Commission.

Next Meeting:

- Next meeting – November 9, 2010
- Discussions planned will be:
 - Chapter 135 (Signs) and Chapter 140 (Streets & Sidewalks) - prepare for first reading.
- Chapter 100 (Licensing)
- Chapter 160 (Zoning)

Committee Re-Organization:

- Bill reminded the committee that anyone interested in remaining on Charter & Ordinance committee or interested in becoming a member should fill out and submit a “Committee Participation Application”.

Adjourn:

- Gene Langan made a motion to adjourn the meeting, seconded by Mike Quinn. The meeting was adjourned at 11:00 a.m.